

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

UNITED STATES OF AMERICA
v.
ROBERT LANCE KUPERMAN

No. 9:20-CR-33-1

FACTUAL BASIS

The government presents to the Court, by and through the undersigned Assistant United States Attorney in and for the Eastern District of Texas, joined by the defendant, **Robert Lance Kuperman**, and the defendant's attorney **Charley Davidson**, and presents this factual basis in support of the defendant's plea of guilty to Count Five of the indictment and in support thereof, would show the following:

1. That the defendant **Robert Lance Kuperman**, hereby stipulates and agrees to the truth of all matters set forth in this factual basis, and agrees that such admission may be used by the Court in support of his plea of guilty to Count Five of the indictment, which charges a violation of 18 U.S.C. §2314, Interstate Transportation of Money by Fraud.
 2. That the defendant, **Robert Lance Kuperman**, who is pleading guilty to such indictment, is one and the same person charged in the indictment.
 3. That the events described in the indictment occurred in the Eastern District of Texas and elsewhere.
 4. That had this matter proceeded to trial, the government, through the testimony of witnesses, including expert witnesses, and through admissible exhibits, would have

proven, beyond a reasonable doubt, each and every essential element of the offense alleged in the indictment; specifically, the government would have proven the following stipulated facts:

- a. At all times relevant to this indictment, **Robert Lance Kuperman (Kuperman)**, defendant, was the owner of or had an ownership interest in a house located at 355 Island Drive in Livingston, Polk County, Texas (Island Drive), having purchased the property on December 4, 2013;
- b. At all times relevant to this indictment, the Island Drive property was located in Livingston, Polk County, Texas, in the Eastern District of Texas;
- c. On or about July 16, 2015, defendant **Kuperman** submitted an insurance claim related to water damage to the Island Drive property purportedly caused by a water leak from a defective hot water heater;
- d. It was the intent of the defendant to obtain insurance proceeds and /or money from American Strategic Insurance, ASI Lloyds and/or any of their affiliates, partners or subsidiaries (ASI), by submitting documentation, which the defendant well knew to have been prepared fraudulently, in support of a fraudulent insurance claim related to the Island Drive property;
- e. Based on defendant **Kuperman's** fraudulent claim(s), ASI's claim/payment processing center located in St. Petersburg, Florida issued a series of checks, made payable to defendant **Kuperman** which reimbursed defendant **Kuperman** for the claim(s) associated with the purported water leak, including loss of use, dwelling repairs, and replacement of personal property allegedly damaged in the property;

- f. In furtherance of the scheme, on or about August 22, 2016, defendant **Kuperman** provided ASI with a copy of a check made payable to an interior designer in the amount of \$170,574.58 that defendant **Kuperman** said reflected payment to the interior designer for the out-of-pocket costs associated with defendant **Kuperman's** replacement of personal property destroyed in the Island Drive property by the purported water leak;
- g. In addition to the check, on or about August 22, 2016, defendant **Kuperman** also provided ASI with a fraudulent invoice, totaling \$170,574.58. Defendant **Kuperman** represented to ASI that the fraudulent invoice reflected certain household furnishings for which payment was supposedly due to the interior designer. According to **Kuperman**, the invoice reflected the out-of-pocket costs associated with defendant **Kuperman's** replacement of personal property destroyed in the Island Drive property by the purported water leak;
- h. Based on these representations, on or about September 12, 2016, ASI's claim/payment processing center located in St. Petersburg, Florida, issued a check in the amount of \$136,284.59 made payable to defendant **Kuperman**, which reimbursed defendant **Kuperman** for the out-of-pocket costs associated with defendant **Kuperman's** replacement of personal property destroyed in the Island Drive property by the purported water leak;
- i. The property contained in the invoice was never purchased by defendant **Kuperman** as represented to ASI. In fact, the check for \$170,574.58 was never cashed by the interior designer;

- j. Consequently, on or about June 8, 2016, in the Eastern District of Texas and elsewhere, **Robert Lance Kuperman**, defendant, did cause to be transported and transferred in interstate commerce from the State of Florida to the State of Texas, money or securities having a value of \$5,000 or more, knowing such money and property to have been taken by fraud from ASI through the submission of a fraudulent insurance claim, to wit, a check in the amount of \$12,000.00 sent by United States Postal Service or by commercial interstate carrier from St. Petersburg, Florida, to the State of Texas.
5. **Robert Lance Kuperman**, defendant, agrees that the total amount of restitution (\$1,842,679.03) includes all relevant conduct.

DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

6. I have read this factual basis and the indictment or have had them read to me and have discussed them with my attorney. I fully understand the contents of this factual basis and agree without reservation that it accurately describes the events and my acts.

Dated: 3/19/21


Robert Lance Kuperman
Defendant

DEFENSE COUNSEL'S SIGNATURE AND ACKNOWLEDGMENT

7. I have read this factual basis and the indictment and have reviewed them with my client, **Robert Lance Kuperman** based upon my discussions with the defendant, I

am satisfied that the defendant understands the factual basis as well as the indictment, and is knowingly and voluntarily agreeing to these stipulated facts.

Dated: 3/19/21


Charley Davidson
Attorney for the Defendant
Respectfully submitted,

NICHOLAS J. GANJEI
ACTING UNITED STATES ATTORNEY

/s/ Tommy L. Coleman
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